

## **REMARKS**

Claims 1-39 are pending in the application. Claims 10-16 and 23-39 have been withdrawn. Claim 4 is allowed. Claims 1, 5, 17 and 21-22 have been amended. In light of the following, claims 1-9 and 17-22 are in condition for allowance. If, after considering this response, the Examiner does not agree that all of the claims are allowable, he is requested to schedule a teleconference with the Applicants' attorney to further the prosecution of the application.

### **Objection to the Title**

The title was amended in the previous Response filed on April 19, 2006.

### **Objection to the Specification (Rejection of Claims 1-3 and 6-9 under 35 U.S.C. §112, first paragraph)**

Claim 1 has been amended to overcome this objection/rejection.

### **Rejection of Claims 1-3, 5-7, 9 and 17-19 under 35 U.S.C. §102(b) as being anticipated by Brosnihan et al. (US 6,121,552)**

#### **Claim 1**

Claim 1, as amended, recites a micro-electro-mechanical device, characterized by a body having a thickness and defining a fixed part, said body formed from a single layer of semiconductor material extending through the entire thickness of said body, and said fixed part comprising an insulation region of insulating material extending through the entire thickness of said body.

For example, referring, e.g., to FIGS. 1, 9 and 12 of the present application, a micro-electro-mechanical device (20) is characterized by a body (30, 3) having a thickness and defining a fixed part, the body formed from a single layer (4) of semiconductor material extending through the entire thickness of the body, and the fixed part comprising an insulation region (6) of insulating material extending through

the entire thickness of the body. It should be noted that the entire fixed part of the micro-electro-mechanical device (20) is defined by a body (30, 3) formed from a single layer (4) of semiconductor material that extends through the entire thickness of the body, and that the insulation region (6) also extends through the entire thickness of the fixed part of the micro-electro-mechanical device.

Brosnihan, on the other hand, does not disclose a micro-electro-mechanical device, characterized by a body having a thickness and defining a fixed part, said body formed from a single layer of semiconductor material extending through the entire thickness of said body, and said fixed part comprising an insulation region of insulating material extending through the entire thickness of said body. Instead, Brosnihan discloses a fixed part of a micro-electro-mechanical device (10) that is defined by a body (or substrate 16) formed from a device layer (48), a sacrificial layer (46), and a handle layer (44) (see col. 5, lines 21-24). Because this fixed part (48, 46, 44) is a multi-layered silicon-on-insulator (SOI) body having an intermediate oxide layer (46), the SOI body of Brosnihan is not formed from a single layer of semiconductor material that extends through the entire thickness of the SOI body (48, 46, 44). Furthermore, the insulation region (64, 66) does not extend through the entire thickness of the SOI body (48, 46, 44) of Brosnihan. Instead, the insulation region (64, 66) only extends through an upper portion (48) of the SOI body (48, 46, 44) that defines the fixed part of Brosnihan. Therefore, Brosnihan does not satisfy the limitations of amended claim 1.

### **Claims 2-3, 5-7 and 9**

Claims 2-3, 6-7 and 9 are patentable by virtue of their dependencies from independent claim 1.

### **Claim 17**

Claim 17 recites a micro-electro-mechanical device comprising a fixed portion formed from an insulating material extending through the entire thickness of the fixed portion.

Claim 17 is patentable for reasons similar to those discussed above in support of the patentability of claim 1.

#### **Claims 18-19**

Claims 18-19 are patentable by virtue of their dependencies from independent claim 17.

#### **Rejection of Claims 8 and 20-22 under 35 U.S.C. §102(b) as being anticipated by Brosnihan or, in the alternative, under 35 U.S.C. § 103(a) as being obvious over Brosnihan**

#### **Claims 8 and 20**

Claims 8 and 20 are patentable by virtue of their respective dependencies from independent claims 1 and 17.

#### **Claims 21-22**

Claims 21-22 are patentable for reasons similar to those discussed above in support of the patentability of claim 17.

## CONCLUSION

In view of the foregoing, claims 1-9 and 17-22 are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.


In the event additional fees are due as a result of this amendment, you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

If, after considering this response, the Examiner does not agree that claims 1-9 and 17-22 are allowable, then it is respectfully requested that the Examiner schedule a phone interview with the Applicants' attorney at (425) 455-5575.

Dated this 20<sup>th</sup> day of December, 2006.

Respectfully submitted,

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